

Advisory Committee Meeting Minutes

Date: June 20, 2020

Place: Remote Meeting via Zoom

In attendance: Committee Members Victor Baltera, Bob Curley, Julie Strehle, Tom Belyea, Eric Haskell, Eryn Kelley, Evan Sheehan, Libby Claypoole, George Danis, Andy McElaney, Davalene Cooper, Dave Anderson, Nancy MacDonald, Ed Gaydos, Kathleen Almand, and Town Accountant Sue Nickerson.

Absent: None.

Chairman Baltera called the meeting to order at 11:04 am. He read the following statement: "This meeting is being held remotely as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. If any participant wishes to record this meeting, please notify the chair at the start of the meeting in accordance with M.G.L. c. 30A, § 20(f) so that the chair may inform all other participants of said recording."

Comments from the public regarding items not on the Agenda - None

Article 34: Amend Zoning By-law-update Floodplain map references (reconsideration)

Eric Haskell provided an update on this Warrant Article. As discussed at the AdCom meeting on 6/11/2020, since the planned update of Federal Emergency Management Agency (FEMA) floodplain maps will not go into effect in July 2020 as originally planned, the Town should refrain from updating its zoning by-laws as proposed by Article 34. FEMA formally notified the Town of this cancellation of the effective date of the maps in a letter dated June 8, 2020. The Planning Board reconsidered its recommendation on this Article earlier this week and voted to recommend no action. Therefore, Mr. Haskell recommended that AdCom also change its recommended motion to no action. A motion to reconsider AdCom's previous recommendation on the Article was approved by roll call vote, 14-0. A motion to change AdCom's recommended motion to no action was approved by roll call vote, 14-0.

Water Company Budget

Dave Anderson provided an informational update on the revised FY21 Enterprise Fund Budget for the Weir River Water Company (WRWC), dated 6/14/2020. Earlier this week, the Board of Selectmen (BOS) executed a purchase agreement for WRWC, and also came to an operational and maintenance agreement with SUEZ. Mr. Anderson acknowledged the hard work that Town committees and individuals completed over the past year to bring the Town to this point. Since the closing date of the purchase is now known to be 7/31/2020, budget figures have been updated.

Financing of the purchase is the outstanding piece of the closing, because the Town has not yet gone to market. Many meetings have been held to find the optimum way to finance the purchase, go to market, and handle repayment, informed by weekly updates on market conditions. Favorable conditions in the market have returned, which is good news. The purchase agreement will close July 31st, and funds will be wired to Aquarion on that date. Next week, the Town will discuss with rating agencies the rating on the general obligation bonds to finance this purchase. The enterprise fund will repay this general obligation bond repayment. It is expected that rating agencies will look favorably at the financing plan as with other Town financing in the past, even in the current pandemic conditions.

Mr. Anderson pointed out that the amount borrowed for the purchase will be within the 2019 Annual Town Meeting authorization of \$114 million. The expected interest rate will be under 3% on an all in cost basis, which is very good. The note itself will have a par value of \$107 million plus additional premium paid. The bond payments will be a level payment, not a level principal payment, so the cost of the purchase will be spread evenly over the life of the 30 year bonds, instead of burdening ratepayers with high payments in the early years. Under current estimates, the Enterprise Fund is expected to generate a surplus of \$10 -- 12 million over the period of the first ten years of operation, which is well on track or ahead of the plan presented to 2019 Annual Town Meeting.

Libby Claypoole asked whether the Water Superintendent position has been filled, which if still open, would not start on 7/1/2020 as noted on the budget. She also pointed out that since the GIS Coordinator position will not be filled until later in FY21, due to financial controls put in place, the salary amount would have to be updated in the budget. Sue Nickerson advised that the salary amounts are appropriations, and advised AdCom members to view the numbers as "up to" the budgeted amount at this time. Ms. Claypoole inquired about debt service and the terms of the loan. Mr. Anderson replied that UBS Securities has schedules (from a cash flow model from a debt point of view). The borrowing will not be just one bond, but instead will be multiple notes which comprise the entire principal amount. So on a weighted basis, the interest cost will be under 3%.

Article 27: Tree Preservation By-law

Priya Howell, the lead petitioner for this Article, joined the meeting. Bob Curley provided an update on this Article. AdCom voted no action on this Article on 3/3/2020. Over the past few days leading up to Town Meeting, there has been a discussion about an affirmative motion to be brought by Ms. Powell at Town Meeting. A draft affirmative motion, which has been circulated to AdCom, proposes that the BOS appoint a Chair and 4 other members of a committee to study the need for a tree preservation by-law as a new by-law or a modification to existing by-laws. Recent communication with the Town Administrator indicates that although the BOS has not acted formally on this affirmative motion, there may be support for this motion among the BOS members.

Chairman Baltera asked whether AdCom would want to take a position on the affirmative motion. At the time of the AdCom's no action vote on 3/3/2020, members favored the formation

of a study committee or working group, but there was a split between those favoring a mandatory study committee and those wanting to leave creation of a committee to the BOS's discretion.

Mr. Curley proposed that Ms. Howell would make the affirmative motion at Town Meeting, and that he would provide a second to the motion and provide the position of AdCom.

Chairman Baltera asked for a motion to reconsider, which was approved by a roll call vote 13-0-1 (with Eric Haskell abstaining because he wasn't present at the original Article vote). Then AdCom members discussed the proposal. Mr. Haskell wondered if there was any difference between this new affirmative motion and Mr. Anderson's alternate recommended motion made at the AdCom meeting (and vote) on 3/3/2020. Mr. Curley replied that Mr. Anderson's previous motion did not include the specific makeup of or appointing authority of the study committee. The new draft motion also has the specific goal of submission of a proposed Warrant Article to Town Meeting by 2021 or 2022.

Davalene Cooper recalled that part of the issue at the AdCom alternate recommended motion on 3/3/2020 was trying to figure out a committee on the fly, but now having this substitute motion with additional detail, she has no opposition to the supporting the substitute motion. Evan Sheehan added that what has changed is that now AdCom has a definition of the committee.

Eryn Kelley wondered whether the Planning Board was aware of the change in the motion, and Mr. Curley replied that Planning Board Chair Bill Ramsay was included in recent conversations. Andy McElaney inquired whether Town employees have been consulted on this new affirmative motion, citing the original concern that it would make more sense to discuss the issue of a possible tree by-law change with the Town officials who have a stake in the work on trees within the Town. Mr. Anderson noted his agreement with Mr. Curley on this new motion, citing that Ms. Howell plans to present this motion to Town Meeting today anyway; so AdCom has the opportunity to vote its support for creation of this kind of study committee ahead of Town Meeting. Ms. Claypoole voiced her concern that the process for giving this Article such consideration within hours of Town Meeting is extremely unusual. Further, she was concerned that while AdCom usually votes on such matters after the BOS, in this instance the BOS neither voted on the affirmative motion nor said motion which designates the BOS as appointing authority. Mr. Haskell was concerned about AdCom offering an opinion on a citizens affirmative motion, which is not what is usually done by the committee.

Mr. Curley moved that AdCom:

1. Remain in favor of no action on the original Article but, with respect to the draft affirmative motion (if made at Town Meeting), to support formation of a committee, appointed by the BOS, subject to the statements within the affirmative motion; and
2. AdCom serves as second to the motion presented at Town Meeting.

The affirmative vote by roll call was 12-0-2 (with Mr. Haskell and Ms. Claypoole abstaining.)

Town Meeting Preparation

Chairman Baltera asked Ms. Nickerson whether a supplement for Article 11 has been printed. She responded that Town Administrator Tom Mayo will have it printed if requested.

Chairman Baltera reported that Moderator Michael Puzo would like the Town Meeting to move quickly, and requested that AdCom only provide comments if there is a reason to (such as providing an answer to a question), other than Nancy MacDonald's introduction to Public Safety Articles 12 - 15, and Chairman Baltera's introduction to Article 6. Tom Belyea indicated that he would like the chance to speak about the CPA funding of South Shore Country Club pool construction documents, and that he plans to request a hold on the pool portion of the CPC article.

At 12:11 pm, AdCom went into recess, and planned to reconvene at the High School field for Town Meeting at 1:45 pm.

Recess and reconvene at 1:45 PM at Hingham High School multi-purpose field to attend Annual Town Meeting

AdCom reconvened at 2:03 pm to attend 2020 Annual Town Meeting. Ms. Cooper and Mr. Gaydos were absent.

Adjourn - 4:52 pm.

Respectfully Submitted,
Julie Strehle, Secretary

List of Documents Distributed for this Meeting:

Agenda

FY21 Enterprise Fund Budget, Weir River Water System, Revised 6/14/2020

Draft Motion for Article 27 (Tree Preservation By-law)

Draft Comment for Article 27

Town Meeting Field Set-up Map

Letter from FEMA to BOS dated 6/8/2020, to alert Town to the cancelation of the 7/22/2020, effective date of revised Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM)

Approved on 6/30/2020